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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,223	11/01/2001	William Ho Chang	1282-002/MMM	3000
21034	7590	11/25/2008		
IPSOLON LLP 111 SW COLUMBIA SUITE 710 PORTLAND, OR 97201			EXAMINER BHATIA, AJAY M	
			ART UNIT 2445	PAPER NUMBER
			MAIL DATE 11/25/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/016,223

Applicant(s)

CHANG ET AL.

Examiner

AJAY BHATIA

Art Unit

2445

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 September 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-9,11-21,23-25,28-31,33,35-41,43-49,51,53-66,69-78,80-90,92,93 and 95-113 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftperson's Patent Drawing Review (PTO-846)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 9/18/2008
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Continuation of Disposition of Claims: Claims pending in the application are 1,3-9,11-21,23-25,28-31,33,35-41,43-49,51,53-66,69-78,80-90,92,93,95 and 96-113.

Response to Arguments

Applicant's arguments with respect to claim 1,3-9,11-21,23-25,28-31,33,35-41,43-49,51,53-66,69-78,80-90,92,93 and 95-113 have been considered but are moot in view of the new ground(s) of rejection.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 9/18/2008 was filed after the mailing date of the NF on 3/19/2008. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1,3-9,11-21,23-25,28-31,33,35-41,43-49,51,53-66,69-78,80-90,92,93 and 95-113 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant has claimed "not being in wired communication" but examiner dose not find sufficient support in the specification for this claim limitation. If applicant wishes to claim this feature applicant should point where support can be found.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1,3-9,11-21,23-25,28-31,33,35-41,43-49,51,53-66,69-78,80-90,92,93 and 95-113 recites the limitation "each other" in line 4. There is insufficient antecedent basis for this limitation in the claim. It is unclear which other the feature is referring to since there are multiple preceding devices.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1,3-5, 7-9,11-21,23-25,29-30,33,35-37, 39-41,43-49,51,53-55, 58-66,69-74, 76-78,80-84, 86-90,92,93 and 95-113 rejected under 35 U.S.C. 102(e) as being anticipated by Atkinson et al. (United States Patent Application Publication 2002/0012329).

For claim 1, Atkinson teaches, a data output method for rendering at one or more output devices data content accessed from a wireless mobile information apparatus, the one or

more output devices and the wireless mobile information apparatus not being in wired communication with each other, the method comprising:

establishing at the wireless mobile information apparatus a radio wireless communication channel directly between the wireless mobile information apparatus and the one or more output devices, the radio wireless communication channel including a radio frequency wireless communication channel; (Atkinson, paragraph 29, Bluetooth, 802.11, etc...)

receiving at the wireless mobile information apparatus over the radio wireless communication channel one or more device-dependent attributes corresponding to the one or more output devices; (Atkinson, paragraph 86, discovery manager)

selecting at the wireless mobile information apparatus a selected output device from the one or more output devices; (Atkinson, paragraph 102, choose)

generating device dependent output data from the data content based at least in part on the one or more attributes relating to the selected output device; (Atkinson, paragraph 102, driver, fully formatted)

and delivering the device-dependent output data over the radio wireless communication channel directly from the wireless mobile information apparatus to the selected output device for rendering. (Atkinson, paragraph 102, Bluetooth)

For claim 3, Atkinson teaches, the method of claim 1 in which the data content resides in the wireless mobile information apparatus. (Atkinson, paragraph 102, first website)

For claim 4, Atkinson teaches, the method of claim 1 further including obtaining the data content from a data source distinct from the wireless mobile information apparatus.

(Atkinson, paragraph 102, website)

For claim 5, Atkinson teaches, the method of claim 1 further comprising obtaining authentication information from the wireless mobile information apparatus and authenticating permission for the wireless mobile information apparatus to access the selected output device. (Atkinson, paragraph 60, pin)

For claim 7, Atkinson teaches, the method of claim 1 further including the wireless mobile information apparatus discovering the one or more output devices as being available to render output data. (Atkinson, paragraph 87, discovery)

For claim 8, Atkinson teaches, the method of claim 7 in which discovering the one or more output devices includes the wireless mobile information apparatus broadcasting a discovery request and awaiting one or more responses from the one or more output devices. (Atkinson, paragraph 87, period)

For claim 9, Atkinson teaches, the method of claim 7 in which discovering the one or more output devices includes the one or more output devices broadcasting its or their availability. (Atkinson, paragraphs 92-96, devices)

For claim 11, Atkinson teaches, the method of claim 7 in which the discovering of one or more output devices involves determining if the one or more output devices satisfy one or more output requirements. (Atkinson, paragraph 102, attributes)

For claim 12, Atkinson teaches, the method of claim 11 in which the one or more output requirements include one or more of price, quality of service, and availability. (Atkinson, paragraph 102, color)

For claim 13, Atkinson teaches, the method of claim 7 in which the wireless mobile information apparatus discovers the one or more output devices with wireless communication. (Atkinson, paragraph 87, discovery)

For claim 14, Atkinson teaches, the method of claim 1 in which the attributes associated with the one or more output devices include information characterizing the one or more output devices. (Atkinson, paragraph 101, profile)

For claim 15, Atkinson teaches, the method of claim 14 in which the information characterizing the one or more output devices includes one or more of a make identifier, a model identifier, an output device type identifier, an output data format identifier, an output device identifier, security information, or authentication information, individually or in combination. (Atkinson, paragraph 101, profile, paragraph 68, vendor commands)

For claim 16, Atkinson teaches, the method of claim 1 in which the attributes associated with the one or more output devices include information characterizing output services provided by the one or more output devices. (Atkinson, paragraph 101, profile)

For claim 17, Atkinson teaches, the method of claim 16 in which the information characterizing the output services includes one or more of a quality of service indicator, an availability of service indicator and a service fee indicator. (Atkinson, paragraph 101, profile, 102, color)

For claim 18, Atkinson teaches, the method of claim 1 in which the selecting of the one or more output devices includes input from a user. (Atkinson, paragraph 102, print)

For claim 19, Atkinson teaches, the method of claim 1 in which the selecting of the one or more output devices is based at least in part upon a predetermined default criterion that is stored in the wireless mobile information apparatus. (Atkinson, paragraph 85, previous device)

For claim 20, Atkinson teaches, the method of claim 1 further including receiving at the wireless mobile information apparatus via the radio wireless communication channel components enabling the data content to be rendered by the selected one or more output devices. (Atkinson, paragraph 102, driver)

For claim 21, Atkinson teaches, the method of claim 20 in which the components include software code or a software application. (Atkinson, paragraph 98, JSE2)

For claim 23, Atkinson teaches, the method of claim 20 in which the components correspond to one or more of a device driver, a printer driver, an output driver, an audio driver, a display driver, and a user interface, individually or in combination. (Atkinson,)

For claim 24, Atkinson teaches, the method of claim 1 in which the wireless mobile information apparatus includes a digital camera, an Internet- enabled cellular phone, a smart phone, an Internet appliance, or a personal computer. (Atkinson, paragraph 102, phone)

For claim 25, Atkinson teaches, the method of claim 1 in which the one or more output devices include one or more of a printing device, a display device, a_ projection device, and an audio output device. (Atkinson, paragraph 102, printer)

For claim 29, Atkinson teaches, the method of claim 1 further including delivering the output data to an output controller associated with the selected output device. (Atkinson, paragraph 98, server)

For claim 30, Atkinson teaches, the method of claim 29 in which the output controller is one of a server, an external controller and a data access point. (Atkinson, paragraph 98, server)

For claim 31, Atkinson teaches, the method of claim 29 further including performing image processing on the output data at the selected output device. (Atkinson, paragraph 102, print image)

For claim 98, Atkinson teaches, the method of claim 1 in which the wireless communication channel is compatible with a Bluetooth wireless protocol or a IEEE 802.11 protocol. (Atkinson, paragraph 29)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6, 28, 38, 56, 57, 75 and 85 are rejected under 35 U.S.C. 103(a) as being unpatentable over Atkinson in view of Naito (United States Patent 6,628,417).

For claim 6, Atkinson fails to disclose the method of claim 1 further including obtaining from the wireless mobile information apparatus payment information to administer payment for the rendering provided by the selected output device.

Naito teaches, the method of claim 1 further including obtaining from the wireless mobile information apparatus payment information to administer payment for the rendering provided by the selected output device. (Naito, Col. 16 lines 25-45, fee)

Naito and Atkinson are both in the filed of communications to a printer (Atkinson, paragraph 101)

Naito and Atkinson are compatible ((blah), paragraph 31)

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to combine Atkinson and Naito because Naito has the added improvement of collecting money for services. (Naito, Col. 16 lines 25-45, fee)

For claim 28 Atkinson fails to clearly disclose, the method of claim 1 in which generating device-dependent output data includes at least partial raster image processing of the data content.

Naito teaches, the method of claim 1 in which generating device-dependent output data includes at least partial raster image processing of the data content. (Naito, Col. 32 lines 20-25, JPEG)

Naito and Atkinson are both in the filed of communications to a printer (Atkinson, paragraph 101)

Naito and Atkinson are compatible ((blah), paragraph 31)

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to combine Atkinson and Naito because Naito has the added improvement of collecting money for services. (Naito, Col. 16 lines 25-45, fee)

Claim(s) 38, 56, 57, 75 and 85 are directed to the same invent as described in claim(s) 6 and 28. Therefore, the supporting rationale of the rejection to claim(s) 6 and 28 applies equally as well to claim(s) 38, 56, 57, 75 and 85.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached Notice of references cited (if appropriate).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AJAY BHATIA whose telephone number is (571)272-3906. The examiner can normally be reached on M, T, H, F 9:00-3:30, Also please fax interview requests to 571-273-3906.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Larry D Donaghue/

Primary Examiner, Art Unit 2454